

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GUARDANT HEALTH, INC.,

Plaintiff,

v.

NATERA, INC.,

Defendant.

Case No. [21-cv-04062-EMC](#)

**ORDER ON OBJECTIONS TO  
OPENING SLIDES**

Docket No. 766

Court rules as follows re: the objections to each respective Parties' opening presentations.  
The Court did not rule on objections to Guardant's withdrawn slides. Dkt. No 775.

Guardant's objections to Natera's Opening:

- TX-585—relevance objection **OVERRULED**.
- TX-1786 & TX-1787—relevance objection **SUSTAINED**.

Natera's objections to Guardant's Opening:

- MolDX Material is offered for the state of mind of Natera, as allowed by the Court's MIL 2—MIL objection **OVERRULED**. The Court will discuss a limiting instruction with the Parties in the morning conference, as needed. Slides allowed – [14, 17, 20, 23, 38, 39].
- Andersen Deposition excerpts—Natera's procedural and substantive objections **OVERRULED**. Guardant may present deposition excerpts (not video clips) of the 4 slides at 13, 36, 72, 73.
- Playing of Deposition Testimony—the Court will **not** allow any playing of actual

deposition video clips in opening statements. Guardant may, however, offer short excerpts (no more than 4 lines) of deposition testimony quotes. Videos or longer excerpts should be replaced by a party's summarized/paraphrased characterization of what the witness will say, *e.g.*, "the evidence will show ..."; "this witness will testify regarding ..."

- List of slides on page 6—Argumentative, Misleading, and or/False Headings and Content Objections—**OVERRULED**. Slides allowed: [2, 8, 9, 10, 11, 12, 13, 14, 16, 17, 20, 21, 22, 24, 26, 27, 30, 40, 42, 44, 47, 52, 53, 57, 61, 62, 64, 67, 71, 72, 73, 74, 77, 79].
- TX 41—**WAIVER**, Natera included on exhibit list.
- TX 156, 227—Not to be used for damages or delay, otherwise **DEFERRED** pending showing of relevance.
- Slide 47—hearsay objection **SUSTAINED**. The Court is unclear how this document would get in/ through whom.
- Slides 16, 50, 63, 66, 79—FRE 402, 403 objections **OVERRULED**.
- Slide 77— **OVERRULED**.

**IT IS SO ORDERED.**

Dated: November 4, 2024



EDWARD M. CHEN  
United States District Judge